

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	SYM 112 CON
First Inventor	Xue-Feng Pei
Title	Sulfur Containing Dihydropthalazine Antagonists of Excitatory Amino Acid Receptors
Express Mail Label No.	EL 717 747 175 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 44]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 1]
5. Oath or Declaration [Total Sheets 3]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☒ 37 CFR 3.73(b) Statement ☒ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☒ Other: Items 9 and 10 are copies from  
Serial No. 09/833,855

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/833,855

Prior application information: Examiner E. Bernhardt Art Unit: 1624  
For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number: 23579 OR ☐ Correspondence address below

Name	Patrea L. Pabst, Holland & Knight LLP		
Address	2000 One Atlantic Center		
	1201 West Peachtree Street		
City	Atlanta	State	GA
Country	United States of America	Zip Code	30309-3400
	Telephone	(404) 817-8473	Fax (404) 817-8588

Name (Print/Type)	Patrea L. Pabst, Esq.	Registration No. (Attorney/Agent)	31,284
Signature		Date	09/18/2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SYM 112 CON - 077588/00025

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 375.00

## Complete if Known

Application Number Continuation of 09/833,855  
Filing Date September 18, 2003  
First Named Inventor Xue-Feng Pei  
Examiner Name  
Art Unit  
Attorney Docket No. SYM 112

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number  
Deposit Account Name

50-1868

Holland & Knight LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	375.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 375.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
12	-20** = 0	9.00	0.00
Independent Claims	2	-3** = 0	42.00
Multiple Dependent		0	0.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00

## SUBMITTED BY

Name (Print/Type) Patrea L. Pabst, Esq. Registration No. 31,284 Telephone (404) 817-8473  
Signature Date September 18, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SYM 112 CON - 077588/00025

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Xue-Feng Pei, Baoqing Li. and Maria-Luisa Macccecchini

Serial No.: Continuation of 09/833,855

Express Mail Label  
No. EL 717 747 175 US

Filed: September 18, 2003

Date of Deposit: September 17, 2003

For: *SULFUR CONTAINING DIHYDROPTHALAZINE  
ANTAGONISTS OF EXCITATORY AMINO ACID RECEPTORS*

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR FILING A CONTINUATION APPLICATION  
UNDER 37 C.F.R. § 1.53(b)**

Sir:

Pursuant to 35 U.S.C. § 21(a), as amended by Public Law 97-247, and 37 C.F.R. §§ 1.10 and 1.53(b), Applicants enclose for filing the attached new patent application entitled "*Sulfur Containing Dihydrophthalazine Antagonists of Excitatory Amino Acid Receptors*". This application is a continuation of pending prior application Serial No. 09/833,855, filed April 12, 2001, entitled "*Sulfur Containing Dihydrophthalazine Antagonists of Excitatory Amino Acid Receptors*", by Xue-Feng Pei, Baoqing Li, and Maria-Luisa Macccecchini, which claims the benefit of U.S. Serial No. 60/196,823 filed April 13, 2000. The application includes 1 page of abstract, 26 pages of specification, 17 pages of claims, 1 sheet of informal drawing, and a copy of the executed Declaration for Patent Application from prior application Serial No. 09/833,855.

Continuation of U.S.S.N. 09/833,855  
Filed: September 17, 2003  
**REQUEST FOR FILING A CONTINUATION  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL 717 747 175 US  
Date of Deposit: September 18, 2003

Pursuant to 37 C.F.R. § 1.63(d), the copy of the executed Declaration for Patent Application included in the new application is a copy of the executed Declaration filed in parent application Serial No. 09/833,855, to which the new application claims benefit.

The inventorship for the claims in the new application is the same as in parent application Serial No. 09/833,855.

Enclosed are a Preliminary Amendment and an Information Disclosure Statement. Please amend the application in accordance with the Preliminary Amendment.

Enclosed from prior application Serial No. 09/833,855 are copies of the (a) Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers; (b) Statement Under 37 CFR §3.73(b); and (c) Notice of Recordation of Assignment from the inventors to Annovis, Inc.

Also enclosed are an (a) Application Data Sheet; (b) Utility Patent Application Transmittal; and (c) Fee Transmittal (in duplicate).

This application is entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

Enclosed is a check in the amount of \$375.00 to cover the filing fee for a small entity. It is believed that this is the proper filing fee since the application includes 2 independent claims and a total of 12 claims upon entry of the enclosed Preliminary Amendment.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1868. To facilitate this process, Applicants enclose a duplicate of this transmittal.

Continuation of U.S.S.N. 09/833,855  
Filed: September 17, 2003  
**REQUEST FOR FILING A CONTINUATION**  
**APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL 717 747 175 US  
Date of Deposit: September 18, 2003

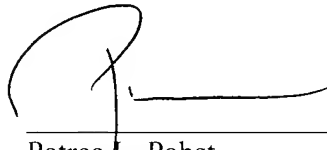
The power of attorney in the prior application is to Patrea L. Pabst.

All correspondence concerning this application should be mailed to:

Customer No. 23579  
Patrea L. Pabst, Esq.  
HOLLAND & KNIGHT LLP  
2000 One Atlantic Center  
1201 West Peachtree Street, N.E.  
Atlanta, GA 30309-3400

This application is being filed on September 17, 2003, by mailing the application to  
Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450 via the United States Postal Service "Express Mail Post Office to Addressee"  
Service under 37 C.F.R. § 1.10. The Express Mail Label number appears in the heading of this  
paper which is attached to the application papers pursuant to 37 C.F.R. § 1.10(b).

Respectfully submitted,

  
\_\_\_\_\_  
Patrea L. Pabst  
Reg. No. 31,284

Date: September 18, 2003

HOLLAND & KNIGHT LLP  
2000 One Atlantic Center  
1201 West Peachtree Street, N.E.  
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(404) 817-8473 (Telephone)  
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Continuation of U.S.S.N. 09/833,855  
Filed: September 17, 2003  
**REQUEST FOR FILING A CONTINUATION  
APPLICATION UNDER 37 C.F.R. § 1.53(b)**  
Express Mail Label No.: EL 717 747 175 US  
Date of Deposit: September 18, 2003

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper and any documents referred to as attached or enclosed are being deposited with the United States Postal Service on this date, September 18, 2003, in an envelope as "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, Express Mail Label No. EL 717 747 175 US, addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
\_\_\_\_\_  
Pam Turnbough

Date: September 18, 2003

ATL1 #593547 v1